

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**ALVERENE BUTLER,**

**Plaintiff,**

**V.**

**ALABAMA DEPARTMENT OF  
TRANSPORTATION, *et al.*,**

## Defendants.

**CASE NO. 2:06-cv-00278-MEF-CSC**

**DEFENDANTS' MOTION FOR TWO-DAY EXTENSION OF TIME IN WHICH TO  
FILE REVISED JOINTLY PREPARED PROPOSED PRE-TRIAL ORDER**

Come now the undersigned counsel and, for the reasons set forth below, request that the deadline for the submission of a revised jointly prepared, proposed pre-trial order be changed from April 25, 2007 to April 27, 2007. In support of this request the Defendants would advise the Court as follows:

1. *This request has been discussed with counsel for the plaintiff. Counsel for the plaintiff has no objection to an enlargement of time and has agreed to this request.*
2. Additional time is needed to revise the proposed pre-trial order in accordance with the instructions given by the Court on April 19, 2007.
3. Counsel for the parties have been discussing the narrowing of issues before the Court. To facilitate a reduction in the number of issues before the Court the Defendants have agreed to produce additional documents, currently in the possession of another state agency, for inspection by Plaintiff's counsel. Said documents will not be available to the parties until Thursday, April 26, 2007.

4. The parties are discussing possible resolution of the case. The requested enlargement of time would enable the parties to determine the possibility of such resolution.
5. The requested enlargement of time will not change any of the deadlines set forth in the *Scheduling Order* issued by this Court.
6. The requested enlargement of time will not prejudice any of the parties to this cause.

For the reasons set forth above, Defendants request that the deadline for submission of a revised proposed pre-trial order be changed to Friday, April 27, 2007.

RESPECTFULLY SUBMITTED  
TROY KING  
ATTORNEY GENERAL

s/ Harry A. Lyles  
Jim R. Ippolito, Jr. (IPP001)  
Assistant Attorney General  
Chief Counsel

Harry A. Lyles (LYL001)  
Assistant Attorney General  
Assistant Counsel  
R. Mitchell Alton, III (ALT003)  
Assistant Attorney General  
Assistant Counsel  
George Robert Prescott, Jr.(PRE020)  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on April 25, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

Mr. Jay Lewis, Esq.  
Law Offices of Jay Lewis, L.L.C.  
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Montgomery, Alabama 36103-5059  
ATTORNEY FOR PLAINTIFF

s/ Harry A. Lyles  
Harry A. Lyles (LYL001)  
Assistant Attorney General  
Assistant Counsel

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